

**UNITED STATES BANKRUPTCY COURT**  
**District of New Jersey**

IN RE: Cesar M. Campos

Case No.: 16-11111

Judge: Rosemary Gambardella

Debtor(s)

Chapter: 13

**CHAPTER 13 PLAN AND MOTIONS**

☐ Original☐ Motions Included☒ Modified/Notice Required☐ Modified/No Notice Required☒ Discharge Sought☐ No Discharge SoughtDate: June 19,  
2017

THE DEBTOR HAS FILED FOR RELIEF UNDER  
 CHAPTER 13 OF THE BANKRUPTCY CODE.

**YOUR RIGHTS WILL BE AFFECTED.**

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the Notice. **This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice.**

**YOU SHOULD FILE A PROOF OF CLAIM BY THE DEADLINE STATED  
 IN THE NOTICE TO RECEIVE DISTRIBUTIONS UNDER ANY PLAN  
 THAT MAY BE CONFIRMED, EVEN IF THE PLAN REFERS TO YOUR CLAIM**

**Part 1: Payment and Length of Plan**

a. The Debtor has paid to date the amount of \$6,910.04 and shall continue to pay 421.00 Monthly to the Chapter 13 Trustee, starting on July 1, 2016 for approximately 44 months remaining in the Chapter 13 Plan.

b. The Debtor shall make plan payments to the Trustee from the following sources:

☒

Future Earnings

☐

Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

☐ Sale of real property  
Description:  
Proposed date for completion: \_\_\_\_\_

☐ Refinance of real property  
Description:  
Proposed date for completion: \_\_\_\_\_

☐ Loan modification with respect to mortgage encumbering property  
Description:  
Proposed date for completion: \_\_\_\_\_

d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

e. ☐ Other information that may be important relating to the payment and length of plan:

**Part 2: Adequate Protection**

a. Adequate protection payments will be made in the amount of \$ \_\_\_\_\_ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to \_\_\_\_\_ (creditor).

b. Adequate protection payments will be made in the amount of \$ \_\_\_\_\_ to be paid directly by the debtor(s) outside of the Plan, pre-confirmation to \_\_\_\_\_ (creditor).

**Part 3: Priority Claims (Including Administrative Expenses)**

All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
Russell L. Low 4745	Attorney Fees	2,500.00

**Part 4: Secured Claims**

**a. Curing Default and Maintaining Payments**

The Debtor shall pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the Debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
Nationwide Acceptance	27 St. James Place Clifton, NJ 07013 Passaic County Location: 27 Saint James Place, Clifton NJ 07013 Co-Owned with Wife Monica Campos	17,040.00	4.75	19,447.30	2,130.00

**b. Modification**

1.) The Debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

**NOTE: A modification under this section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.**

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to Be Paid
-NONE-							

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

**c. Surrender**

Upon confirmation, the stay is terminated as to surrendered collateral. The Debtor surrenders the following collateral in Full Satisfaction:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt
ALLY FINANCIAL	2014 GMC Arcadia Surrendered.	0.00	0.00
GM FINANCIAL	2014 Chevrolet Cruze Surrendered.	0.00	0.00

**d. Secured Claims Unaffected by the Plan**

The following secured claims are unaffected by the Plan:

Creditor

US Department of HUD

**e. Secured Claims to be paid in full through the Plan**

Creditor	Collateral	Total Amount to be Paid through the Plan
-NONE-		

**Part 5: Unsecured Claims**

**a. Not separately classified** Allowed non-priority unsecured claims shall be paid:

\_\_\_\_\_ Not less than \$\_\_\_\_\_ to be distributed *pro rata*

\_\_\_\_\_ Not less than \_\_\_\_\_ percent

\_\_\_\_\_ *x* *Pro Rata* distribution from any remaining funds

**b. Separately Classified Unsecured Claims** shall be treated as follows:

Creditor	Basis for Separate Classification	Treatment	Amount to be Paid
-NONE-			

## Part 6: Executory Contracts and Unexpired Leases

All executory contracts and unexpired leases are rejected, except the following, which are assumed:

Creditor	Nature of Contract or Lease	Treatment by Debtor
ALLY FINANCIAL	Monthly payments: \$465.00	NO Arrearage

## Part 7: Motions

**NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, Notice of Chapter 13 Plan Transmittal, within the time and in the manner set forth in D.N.J. LBR 3015-1. A Certification of Service must be filed with the Clerk of Court when the plan and transmittal notice are served.**

### a. Motion to Avoid Liens under 11 U.S.C. Section 522(f).

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided
-NONE-							

### b. Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured.

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount of Lien to be Reclassified
-NONE-		

### c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured.

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured
-NONE-			

## Part 8: Other Plan Provisions

### a. Vesting of Property of the Estate

- ☒ Upon Confirmation  
☐ Upon Discharge

### b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

**c. Order of Distribution**

The Trustee shall pay allowed claims in the following order:

- 1) Trustee Commissions
- 2) Other Administrative Claims
- 3) Secured Claims
- 4) Lease Arrearages
- 5) Priority Claims
- 6) General Unsecured Claims

**d. Post-petition claims**

The Trustee ☐ is, ☒ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

**Part 9 : Modification**

If this plan modifies a plan previously filed in this case, complete the information below.

Date of Plan being modified: April 3, 2017.

Explain below <b>why</b> the Plan is being modified.	Explain below <b>how</b> the Plan is being modified
Modified plan to surrender Ally Fin and Acar in Full Satisfaction.	Modified plan to surrender Ally Fin and Acar in Full Satisfaction.

Are Schedules I and J being filed simultaneously with this modified Plan? ☐ Yes ☒ No

**Part 10: Sign Here**

The debtor(s) and the attorney for the debtor (if any) must sign this Plan.

Date June 19, 2017 /s/ Russell L. Low  
Russell L. Low 4745  
Attorney for the Debtor

I certify under penalty of perjury that the foregoing is true and correct.

Date: June 19, 2017 /s/ Cesar M. Campos  
Cesar M. Campos  
Debtor

Date: \_\_\_\_\_  
Joint Debtor

**Certificate of Notice Page 6 of 7**  
 United States Bankruptcy Court  
 District of New Jersey

In re:  
 Cesar M. Campos  
 Debtor

Case No. 16-11111-RG  
 Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0312-2

User: admin  
 Form ID: pdf901

Page 1 of 2  
 Total Noticed: 32

Date Rcvd: Jun 20, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 22, 2017.

db  
 516129649 +Cesar M. Campos, 27 St. James Place, Clifton, NJ 07013-3426  
 515957628 +ACAR Leasing LTD, POB 183692, Arlington, TX 76096-3692  
 515957627 +APEX ASSET, 2501 OREGON PIKE, LANCASTER, PA 17601-4890  
 516001949 +American Express, PO BOX 3001, 16 GENERAL WARREN BLVD, MALVERN, PA 19355-1245  
 American Express Centurion Bank, c o Becket and Lee LLP, PO Box 3001,  
 Malvern, PA 19355-0701  
 515957629 ++BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238  
 (address filed with court: Bank of America, ATTN: RECOVERY DEPARTMENT, 4161 PIEDMONT PKWY,  
 GREENSBORO, NC 27410)  
 516193372 BANK OF AMERICA, N.A., PO BOX 31785, Tampa FL 33631-3785  
 516058595 +Bank of America, N.A., P O Box 982284, El Paso, TX 79998-2284  
 515957632 +Citibank, CITICORP CREDIT SRVS/CENTRALIZED BANKRUPT, PO BOX 790040,  
 SAINT LOUIS, MO 63179-0040  
 515957633 ++DELL FINANCIAL SERVICES, P O BOX 81577, AUSTIN TX 78708-1577  
 (address filed with court: Dell Financial Services, DELL FINANCIAL SERVICES ATTN: BANKRUPTCY,  
 PO BOX 81577, AUSTIN, TX 78708)  
 515957635 +DSNB MACYS, MACYS BANKRUPTCY DEPARTMENT, PO BOX 8053, MASON, OH 45040-8053  
 516114927 ECASSET SETTLEMENT CORPORATION, PO BOX 29262, NEW YORK, NY 10087-9262  
 515957637 +Firststar/US Bank, US BANK BANKRUPTCY DEPT, PO BOX 5229, CINCINNATI, OH 45201-5229  
 515957639 +GM FINANCIAL, PO BOX 181145, ARLINGTON, TX 76096-1145  
 515957641 +Hsbc Bank, PO BOX 30253, SALT LAKE CITY, UT 84130-0253  
 515957643 +MB FIN SVCS, 36455 CORPORATE DR, FARMINGTON HILLS, MI 48331-3552  
 516103138 +Midland Funding LLC, PO Box 2011, Warren MI 48090-2011  
 515957630 +Monica Campos, 27 St. James Place, Clifton, NJ 07013-3426  
 515957646 +SUMMIT COLLECTION SVCS, PO BOX 306, HO HO KUS, NJ 07423-0306  
 515957645 +St Joseph's Regional Medical Center, 703 Main Street, Paterson, NJ 07503-2621  
 515957648 ++TOYOTA MOTOR CREDIT CORPORATION, PO BOX 8026, CEDAR RAPIDS IA 52408-8026  
 (address filed with court: Toyota Financial Services, PO Box 9490, Cedar Rapids, IA 52409)  
 515977902 +U.S. Department of, HUD, 451 7th Street SW, Washington, DC 20410-0002

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
 smg E-mail/Text: usanj.njbankr@usdoj.gov Jun 20 2017 22:29:31 U.S. Attorney, 970 Broad St.,  
 Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534

smg +E-mail/Text: ustpreion03.ne.ecf@usdoj.gov Jun 20 2017 22:29:27 United States Trustee,  
 Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,  
 Newark, NJ 07102-5235  
 515957625 +E-mail/Text: ally@ebn.phinsolutions.com Jun 20 2017 22:28:34 ALLY FINANCIAL,  
 200 RENAISSANCE CTR, DETROIT, MI 48243-1300  
 516004444 E-mail/Text: ally@ebn.phinsolutions.com Jun 20 2017 22:28:34 Ally Financial Lease Trust,  
 PO Box 130424, Roseville MN 55113-0004  
 515957631 +E-mail/Text: cms-bk@cms-collect.com Jun 20 2017 22:29:11 Capital Management Services, Inc.,  
 726 Exchange Street, Buffalo, NY 14210-1485  
 515964648 E-mail/Text: mrdiscen@discover.com Jun 20 2017 22:28:39 Discover Bank,  
 Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025  
 515957634 +E-mail/Text: mrdiscen@discover.com Jun 20 2017 22:28:39 Discover Financial,  
 ATTENTION: BANKRUPTCY DEPARTMENT, PO BOX 3025, NEW ALBANY, OH 43054-3025  
 515957642 +E-mail/Text: bk@lendingclub.com Jun 20 2017 22:30:04 LENDING CLUB CORP,  
 71 STEVENSON ST STE 300, SAN FRANCISCO, CA 94105-2985  
 515957644 +E-mail/Text: cowens@nationwideacceptance.com Jun 20 2017 22:29:57 Nationwide Acceptance,  
 105 DECKER CT. SUITE 725, IRVING, TX 75062-2815  
 515957647 +E-mail/PDF: gecsed@recoverycorp.com Jun 20 2017 22:25:40 SYNCB/JCP, PO BOX 965007,  
 ORLANDO, FL 32896-5007

TOTAL: 10

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*

515957626\* +ALLY FINANCIAL, 200 RENAISSANCE CTR, DETROIT, MI 48243-1300  
 515957636\* +Dsnb Macys, MACYS BANKRUPTCY DEPARTMENT, PO BOX 8053, MASON, OH 45040-8053  
 515957638\* +Firststar/US Bank, US BANK BANKRUPTCY DEPT, PO BOX 5229, CINCINNATI, OH 45201-5229  
 515957640\* +GM FINANCIAL, PO BOX 181145, ARLINGTON, TX 76096-1145  
 515957649\* ++TOYOTA MOTOR CREDIT CORPORATION, PO BOX 8026, CEDAR RAPIDS IA 52408-8026  
 (address filed with court: Toyota Financial Services, PO Box 9490, Cedar Rapids, IA 52409)  
 515957650\* ++TOYOTA MOTOR CREDIT CORPORATION, PO BOX 8026, CEDAR RAPIDS IA 52408-8026  
 (address filed with court: Toyota Financial Services, PO Box 9490, Cedar Rapids, IA 52409)  
 515957651\* ++TOYOTA MOTOR CREDIT CORPORATION, PO BOX 8026, CEDAR RAPIDS IA 52408-8026  
 (address filed with court: Toyota Motor Credit Co, TOYOTA FINANCIAL SERVICES, PO BOX 8026,  
 CEDAR RAPIDS, IA 52408)

TOTALS: 0, \* 7, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

District/off: 0312-2

User: admin  
Form ID: pdf901

Page 2 of 2  
Total Noticed: 32

Date Rcvd: Jun 20, 2017

\*\*\*\*\* BYPASSED RECIPIENTS (continued) \*\*\*\*\*

Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Jun 22, 2017

Signature: /s/Joseph Speetjens

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## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 19, 2017 at the address(es) listed below:

Charles G. Wohlrab on behalf of Creditor Nationstar Mortgage LLC cwohlrab@logs.com,  
njbankruptcynotifications@logs.com  
Denise E. Carlon on behalf of Creditor BANK OF AMERICA, N.A. dcarlon@kmlawgroup.com,  
bkgroup@kmlawgroup.com  
Joshua I. Goldman on behalf of Creditor BANK OF AMERICA, N.A. jgoldman@kmlawgroup.com,  
bkgroup@kmlawgroup.com  
Marie-Ann Greenberg magecf@magtrustee.com  
Russell L. Low on behalf of Debtor Cesar M. Campos rbear611@aol.com,  
ecf@lowbankruptcy.com;r57808@notify.bestcase.com

TOTAL: 5